

REMARKS

I. Claim status

Claims 44-50, 53-55 and 57-64 are pending in this application. Claims 25-27, 66-77, 79-91 have been canceled without prejudice. No new matter has been added.

Applicants would like to thank Examiners David Guzo and Quang Nguyen for an informative interview on February 4, 2004.

As a preliminary matter, Applicants note that the Office Action has not made of record any rejection for claims 44-50, 53-55, and 57-60. In a teleconference on March 2, 2004, Examiner Quang Nguyen indicated to Applicants' representative (Quan Nguyen) that since no rejections are made, the claims are deemed allowable. Accordingly, Applicants respectfully request a formal allowance of claims 44-50, 53-55, and 57-60.

Claims 61-64 and 83-88 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over WO 97/05903 to Watts et al. ("Watts et al.") in view of U.S. Patent No. 5,948,898 to Dean et al. ("Dean et al."). Claims 83-88 are presently canceled, which renders the rejection of those claims moot. These claims are canceled solely for the purpose of facilitating prosecution. Claim 61 has been amended from "capric acid or lauric acid" to "capric acid and lauric acid". Support for this amendment is found throughout the specification. For example, see page 47, lines 14-15.

As discussed during the interview on February 4, 2004, the Watts et al., alone or in combination with Dean et al., do not teach or suggest the use of capric acid and lauric acid in combination. Moreover, the Watts et al., alone or in combination with Dean et al., do not provide a motivation for one of ordinary skill to combine capric acid and lauric acid for use in accordance with the present invention. Accordingly, claim 61 is not made obvious by Watts et al., alone or in combination with Dean et al. Since claims 62-64

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depend from claim 61, they are also not made obvious by Watts et al., alone or in combination with Dean et al.

Claims 25-27, 66-77, 79-82 and 89-91 are rejected under 35 U.S.C. § 112, first paragraph, for allegedly being non-enabling. However, claims 25-27, 66-77, 79-82 and 89-91 have been canceled, rendering the rejection moot. The sole purpose for canceling claims 25-27, 66-77, 79-82 and 89-91 is to facilitate prosecution, and Applicants maintain that the inventions recited in these claims are fully enabled. See, for example, arguments for enablement previously presented in the Response filed April 21, 2003.

In view of the foregoing, Applicant submits that the claims 44-50, 53-55, 57-60, and 61-64 are in condition for allowance, and an early Office Action to that effect is earnestly solicited.

Respectfully submitted,



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